



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,893	07/22/2002	David M Stern	59472-A-PCT-US/JPW/FHB	2372

7590 08/31/2007  
Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036

EXAMINER
----------

EMCH, GREGORY S

ART UNIT	PAPER NUMBER
----------	--------------

1649

MAIL DATE	DELIVERY MODE
-----------	---------------

08/31/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10049893	7/22/2002	STERN ET AL.	59472-A-PCT-

US/JPW/FHB

Cooper & Dunham  
1185 Avenue of the Americas  
New York, NY 10036

**EXAMINER**

Gregory S. Emch

**ART UNIT****PAPER**

1649

20070828-A

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents****Election/Restrictions**

The amendment filed on 18 June 2007 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because Applicants elected the species m. in the reply filed on 12 December 2005. The claims are now drawn to the non-elected species of g., h., j., k., and l. set forth in the restriction requirement of 09 November 2005.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicants are given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

**Advisory Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory S. Emch whose telephone number is (571) 272-8149. The examiner can normally be reached 9:00 am - 5:30 pm EST (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (571) 272-0841. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gregory S. Emch/

Gregory S. Emch, Ph.D.  
Patent Examiner  
Art Unit 1649  
28 August 2007

/Elizabeth C. Kemmerer/  
Primary Examiner, Art Unit  
1646